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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

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9 UNITED STATES OF AMERICA,
10 Plaintiff,
11 vs.
12 THOMAS McNAMARA,
13 Defendant.

2:13-cr-00250-JAD-VCF

STIPULATION TO CONTINUE
RESPONSE TO DEFENDANT'S
MOTION IN LIMINE (Doc. #126)

ORDER

14 IT IS HEREBY STIPULATED AND AGREED, by and between DANIEL G. BOGDEN,
15 United States Attorney, and Cristina D. Silva, Assistant United States Attorney, counsel for the
16 United States of America, and counsel for defendant THOMAS McNAMARA, Terrance Jackson,
17 Esq., that the Government's response to defendant's Motion in Limine (Doc. # 126), in the above-
18 captioned matter, which is currently set for March 20, 2015, be continued until April 2, 2015.

19 This Stipulation is entered into for the following reasons:

20 1. Defendant Steve Carr filed a similar motion on March 16, 2015. *See* Doc. #139. The
21 current due date for the Government's response to Carr's motion is April 2, 2015. *Id.* Given the
22 similarities of the motion, for purposes of judicial efficiency, the Government contacted defendant
23 McNamara's attorney, Terry Jackson, Esq., and requested that the Government be able to respond to
24 both motions together.

1 2. The parties have discussed the continuance and agree to stipulate to an extension of
2 the response deadline to April 2, 2015.

3 3. The defendant is not incarcerated, but does not object to the continuance.

4 4. Additionally, denial of this request for continuance could result in a miscarriage of
5 justice.

6 5. The additional time requested herein is not sought for purposes of delay, but to allow
7 for adequate and efficient response time to the accompanying supplemental filing (Doc. #53).

8 6. This is the first request for a continuance of deadline for the Government to respond
9 to the Motion in Limine.

11 DATED this 19th day of March, 2015.

12 DANIEL G. BOGDEN
13 United States Attorney

14 //s//

15 CRISTINA D. SILVA
16 Assistant United States Attorney

17 //s//

18 TERRANCE JACKSON
19 Counsel for Defendant - McNamara

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

THOMAS McNAMARA,
Defendant.

2:13-cr-00250-JAD-VCF

ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court hereby finds that:

1. Defendant Steve Carr filed a similar motion on March 16, 2015. See Doc. #139. The current due date for the Government's response to Carr's motion is April 2, 2015. *Id.* Given the similarities of the motion, for purposes of judicial efficiency, the Government contacted defendant McNamara's attorney, Terry Jackson, Esq., and requested that the Government be able to respond to both motions together.

2. The parties have discussed the continuance and agree to stipulate to an extension of the response deadline to April 2, 2015.

3. The defendant is not incarcerated, but does not object to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested herein is not sought for purposes of delay, but to allow for adequate and efficient response time to the accompanying supplemental filing (Doc. #53).

6. This is the first request for a continuance of deadline for the Government to respond

1 to the Motion in Limine.

2 **CONCLUSIONS OF LAW**

3 Based on the fact that the parties have agreed to the continuance; based on the fact that the
4 defendant does not object to the continuance; and based on the fact that denial of this request for
5 continuance could result in a miscarriage of justice, the Court hereby concludes that:

6 The ends of justice are served by granting said continuance, since the failure to grant said
7 continuance would be likely to result in a miscarriage of justice and would deny adequate response
8 to the pending motion to dismiss, taking into account the exercise of due diligence.

9 **ORDER**

10 IT IS THEREFORE ORDERED that the deadline for the Government to respond to
11 defendant's Motion in Limine (Doc. #126) is hereby reset to March 19, 2015.

12 Dated: April 7, 2015.


13 _____
14 UNITED STATES DISTRICT JUDGE
15 _____

16 *nunc pro tunc to 3/19/15*

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